

Minutes.....October 2, 2000

9:00 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 2, 2000, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Gary Feland, Commissioner

Commissioners Rowe and Anderson were absent, but left their votes with the Commission Secretary.

APPEARANCE

Dan Elliott, Administrator
Utility Division

(428) In the matter of Qwest Communications N2000.9.155; On September 11, 2000, Qwest Communications filed Tariff Transmittal 00-35 "UAS/DSS Promotion" to introduce a limited time promotional offering for Digital Switched Services (DSS) and Uniform Access Solutions (UAS). For the promotional period from October 2, 2000 through December 29, 2000, customers subscribing to DSS or UAS will receive a waiver of the non recurring DSS or UAS DS1 or DSS trunk or US Network Connection charges and a waiver of 1 or 2 months recurring charge when entering into a 3 or 5 year rate stability agreement. The waiver is available on services ordered during the promotional period and installed prior to April 1, 2001. The promotion is available where technically feasible and where facilities are available. Commissioner McCaffree moved to approve the tariff filing. Commissioner Feland seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

(429) In the matter of Citizens Communications N2000.9.156; On September 14, 2000, Citizens Communications filed Advice Letter No. MT-00-07 to make a rate adjustment to Federal Lifeline Credit in conjunction with an increase in Subscriber Line Charge (SLC) pursuant to FCC Calls Order 00-193, increasing the amount from \$7.00 to \$7.85. The credit became effective on July 1, 2000. Also included are the fiscal year rate changes for the Consumer Counsel fee and the Public Service Commission Fee, changing to 0.08% and 0.28%, respectfully. These rates become effective October 1, 2000. Commissioner Feland moved to approve the filing. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

(430) In the matter of AT&T Communications N2000.9.161; On September 20, 2000, AT&T Communications filed Tariff Transmittal 2000-17 restructuring AT&T Switched Digital Services for 56/64, 384 and 1.536 kbps by designating Dedicated to Dedicated, Switched to Dedicated or Switched to Switched provisioning. AT&T is asking for this to become effective October 2, 2000. Commissioner McCaffree moved to approve the tariff filing. Commissioner Feland seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

(431) In the matter of QWEST COMMUNICATIONS DOCKET NO. N2000.9.153; On September 11, 2000, Qwest filed Tariff Transmittal 00-33 "Revisions to Residential CustomChoice and ValueChoice Packages." The filing will grandfather the current offerings of CustomChoice, CustomChoice on additional lines and ValueChoice package offerings. All current customers can continue to have the current offering. The packages, for new customers, will be replaced by enhanced packages.

Minutes.....October 2, 2000

9:00 a.m.

The enhanced CustomChoice packages contain the same features as the original CustomChoice packages as well as Do Not Disturb, a Nonlisted Service Listing and Talking Call Waiting. These packages include an individual or additional flat rated residential line. The package will have a price of \$32.95 for the first line and \$29.95 for the features associated with an additional line.

The enhanced ValueChoice package will contain Anonymous Call Rejection, Call Waiting, Continuous Redial, Last Call Return and Three-Way Calling as standard features. The customer may choose from a list of optional features. The package will include an individual or additional flat rated residential line and the package will have a price of \$26.95. Commissioner Feland moved to approve the tariff filing. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

(432) In the matter of QWEST COMMUNICATIONS DOCKET NO. N2000.9.154 ; On September 11, 2000, Qwest filed Tariff Transmittal 00-34 "Business CustomChoice Revisions." The current Business CustomChoice package is being grandfathered. Current customers can continue to subscribe to this package. New customers will have an enhanced package available. The enhanced Business CustomChoice package contains the same features as the current offering plus Do Not Disturb, Remote Access Forwarding and Scheduled Forwarding. The package includes an individual or additional flat rated business line and the package price is \$54.95. Commissioner McCaffree moved to approve the tariff filing. Commissioner Feland seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator

Transportation & Centralized Services Division

(433) In the matter of TN2063 - Benjamin R. Cohen dba North Valley Refuse, Whitefish, Montana requests permission to continue the lease of PSC No. 3325 to NVR, Inc., dba North Valley Refuse, Whitefish, Montana from September 27, 2000 to September 27, 2001.

Class D - Garbage, waste and refuse (1) within Whitefish, Montana, and points and places within a seven (7) mile radius thereof; and (2) transportation between Whitefish, Montana and the Flathead County line via Highway 93, serving all intermediate points; and (3) transportation movements Nos. 1 and 2 above will terminate at the presently existing sanitary landfill dump nearest Whitefish, Montana. Limitations: Transportation is prohibited within Columbia Falls, Montana and a five (5) mile radius thereof. Transportation is prohibited within Kalispell, Montana and a ten (10) mile radius thereof.

Class C & D - Refuse, debris and rubbish from the cleaning out of railroad freight cars and damaged and discarded parts of railroad freight cars and engines but transportation limited to Burlington Northern, Inc., and the Western Fruit Express Company, between points and places in Flathead County, Montana.

Commissioner McCaffree moved to continue the lease of PSC 3325 for a period of one year. Commissioner Feland seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

Minutes.....October 2, 2000

9:00 a.m.

(434) In the matter of TN2064 - Montana Tariff Bureau, Agent on behalf of its members Two Shews, Inc. dba Billings Yellow Cab and Mark Foos dba City Cab, request a fuel surcharge be added to Passenger Tariff No. 3. Surcharge is requested in the amount of \$.25 per fare effective July 10, 2000 and expiring on October 8, 2000. This represents a final extension to fuel surcharges previously granted and effective April 11, 2000 to July 10, 2000 and effective July 10, 2000 and expiring on October 10, 2000.

Commissioner McCaffree moved to approve the request for a fuel surcharge. Commissioner Feland seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

(435) In the matter of TN2065 - Joseph L. Garcia dba Mining City Taxi, Butte, Montana as purchaser/transferee of PSC No. 321, in Docket T-00.40.ST requests that the Commission waive the annual report filing requirements of the owner/transferor Bernard P. Harrington dba City Taxi, Butte, Montana. Annual Reports are due from Mr. Harrington for the calendar year 1999 and that portion of 2000 from January 1 to April 30, 2000. Mr. Harrington is in failing health and is unable or unwilling to complete the reports and Mr. Garcia does not have access to the necessary information.

Class B - Persons, in the City of Butte, Montana and to or from points not exceeding fifty (50) miles of Butte, Montana. Limitations: Regular or scheduled service as a jitney or bus is prohibited on or over any route.

Class C - Air freight, between the Butte Airport and points and places within the City of Butte, Montana and an area of ten (10) miles.

Commissioner Feland moved to waive the annual report filing requirements for the calendar year 1999 and the 2000 year portion of January 1 through April 30, 2000. Commissioner McCaffree seconded the motion, which passed unanimously.

(436) In the matter of T-00.40.ST - On April 26, 2000 Bernard P. Harrington dba City Taxi, Butte, Montana filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 321, to Joseph L. Garcia dba Mining City Taxi, Butte, Montana.

Class B - Persons, in the City of Butte, Montana and to or from points not exceeding fifty (50) miles of Butte, Montana. Limitations: Regular or scheduled service as a jitney or bus is prohibited on or over any route.

Class C - Air freight, between the Butte Airport and points and places within the City of Butte, Montana and an area of ten (10) miles.

Commissioner Feland moved to grant the transfer of PSC No. 321 to Joseph L. Garcia. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioners Anderson and Rowe voted aye.

Minutes.....October 2, 2000

9:00 a.m.

(437) In the matter of T-00.108.PCN - James F. Cole dba Montana Luxury Limo Service, Great Falls, Montana, PSC No. 9426, requests a 90 day extension to the temporary authority granted previously, from September 27, 2000 to December 26, 2000.

Class B - Passengers in limousine service between all points and places in Great Falls, Montana and a 100 mile radius.

Commissioner McCaffree moved to approve the 90 day extension request. Commissioner Feland seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

Minutes.....October 3, 2000

9:00 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 3, 2000 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Gary Feland, Commissioner
Bob Rowe Commissioner (via telephone)

Commissioner Anderson was absent, but left his votes with the Commission Secretary.

APPEARANCE
Dennis Crawford

(438) In the matter of the Commission's discussion of BTU Monitoring Contracts – Renewal of Contracts 2000/2001; Commissioner McCaffree moved to approve the renewal of the contracts. Commissioner Feland seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE
Martin Jacobson, Dennis Crawford

(439) In the matter of the Commission's discussion of PSC Annual Update to Pipeline Safety Rules; Commissioner McCaffree moved to approve the update of the PSC rules and the noticing of the rules. Commissioner Feland seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE
Martin Jacobson

(440) In the matter of the Commission's discussion of Mid Rivers Telephone – Docket No. D2000.9.163; Commissioner Rowe moved to grant the Petition for temporary suspension of LNP requirements and issue the notice. Commissioner seconded the motion, which passed unanimously.

APPEARANCE
Martin Jacobson, Wayne Budt

(441) In the matter of the Commission's discussion of MacKenzie Disposal – SWC and BFI v. MacKenzie Disposal – Docket No. T-00.4.COM; Commissioner McCaffree moved to issue an order dismissing the complaint, with editing. Motion died for lack of second. Commissioner Rowe moved to issue an order dismissing the complaint as a Proposed Order, with editing. Commissioner McCaffree seconded the motion, which passed 4-0. Commissioner Anderson did not vote on the second motion.

Minutes.....October 3, 2000

9:00 a.m.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 10, 2000, the following members were present:

Dave Fisher, Chairman
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree was absent and did not vote on the following items.

APPEARANCE

Dan Elliott, Administrator
Utility Division

(442) In the matter of Furst Group, Inc and Zone Telecom, Inc, Docket No. N2000.8.128 - On August 17, 2000, Furst Group, Inc (TFG) and Zone Telecom, Inc., filed a joint application for approval of the assignment of select assets and waiver of ARM 38.5.3801 and 38.5.3801, the Customer Authorization rule. Zone seeks approval to acquire certain assets of TFG used in the connection with the provision of resold retail and wholesale interLATA long distance. The customers associated with these services also will be assigned to Zone. Zone is registered to provide facilities-based and resold long-distance service and is authorized to continue serving TGF's customers. Commissioner Feland moved to approve the joint application. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(443) In the matter of T-00.112.PCN- On August 23, 2000 Valley County Transit, Glasgow, Montana filed an application for a Montana Intrastate Certificate of Public Convenience and Necessity to amend they existing authority held under PSC No. 9409 as follows:

Class A - Passengers between Glasgow, Montana and Glendive, Montana serving the following intermediate points: Wolf Point, Poplar, Culbertson, Fairview and Sidney, with on-call service to Frazer, Brockton, Savage and Amtrak in Wolf Point, Montana.

No protests were received. Commissioner Feland moved to approve the application for Public Convenience and Necessity to amend PSC No. 9409. Commissioner Rowe seconded the motion, which passed unanimously.

(444) In the matter of TN2066 - Helena Unlimited, Inc. dba Last Chance Tours, Helena, Montana requests permission to suspend PSC No. 2516 for a six month period, October 15, 2000 to April 15, 2001

Class A - Persons in the City of Helena, Montana. Limitations: This certificate may not be sold, leased, transferred or assigned.

Class B- Passengers in charter service by means of open-air tour vehicles pulled by replica vintage locomotive-style vehicles or in open-air trolley-style vehicles, within the City of Helena, Montana, and a fifteen (15) mile radius thereof.

Commissioner Anderson moved to approve the suspension of PSC No. 2516 for a period of six months. Commissioner Rowe seconded the motion, which passed unanimously.

Minutes.....October 10, 2000

10:00 a.m.

APPEARANCE
Laura Calkin
Centralized Services

(445) In the matter of the approval of Commission Minutes; Commissioner Rowe moved to approve the Commission Minutes for the weeks of September 5, 2000 through October 2, 2000. Commissioner Feland seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

Minutes.....October 10, 2000

1:00 p.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 10, 2000 the following members were present:

Dave Fisher, Chairman
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree was absent, and did not vote on the following item.

APPEARANCE

Martin Jacobson, David Burchett, Joel Tierney, Kate Whitney

(446) In the matter of the Commission's discussion of SmartEnergy.com – Natural Gas Supplier License – Docket N2000.9.143; Commissioner Rowe moved to affirm the License by Default, with the conditions that staff instruct the company to file new financials within six months and instructing applicant of labeling and contract compliance problems. Commissioner Feland seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

Minutes.....October 10, 2000

1:00 p.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 10, 2000 the following members were present:

Dave Fisher, Chairman
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree was absent but voted via telephone with Commission Secretary on October 11, 2000.

APPEARANCE
Martin Jacobson

(447) In the matter of the Commission's discussion of Montana Power Company – Electric Gas Rate Case – Docket No. D2000.8.113; Commissioner Rowe moved to deny MPC's request for reconsideration of the procedural schedule. Commissioner Feland seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

APPEARANCE
Robin McHugh, Mike Lee, Scott Fabel

(448) In the matter of the Commission's discussion of Qwest Deaveraging the Loop UNE rate – Docket Nos. D96.11.200/D99.12.277; Commissioner Anderson moved to direct staff to prepare an order consistent with Option #2 in the October 4, 2000 memorandum by staff. Commissioner Feland seconded the motion, which passed 3-2. Commissioners Fisher, Feland and Anderson voted aye. Commissioners Rowe and McCaffree dissented.

APPEARANCE
Wayne Budt, Robin McHugh, Dan Elliott

(449) In the matter of the Commission's discussion of travel; Commissioner Anderson moved to approve out-of-state travel for Will Rosquist to attend the Regional Electricity Issues Forum, October 24, 2000, in Portland, Oregon. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

Minutes.....October 10, 2000

1:00 p.m.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCaffree, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

Minutes.....October 12, 2000

9:00 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, October 12 2000 the following members were present:

Dave Fisher, Chairman (via telephone)
Nancy McCaffree, Vice Chair
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was absent and did not vote on the following item.

APPEARANCE
Robin McHugh, Jay Driscoll

(450) In the matter of the Commission's discussion of FCC – Number Code Administration and the PSC's Role; Commissioner Rowe moved to send a letter (signed by the Chairman), to NANP Code Administration, declining to assume management at this time, but that the PSC will monitor this closely and opt-in in a couple of years. Commissioner Fisher seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

Minutes.....October 16, 2000

10:00 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 16, 2000, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

There were no Utility Division, or Transportation and Centralized Services Division agenda items.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

Minutes.....October 16, 2000

10:30 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 16, 2000 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was absent, but left his votes with the Commission Secretary.

APPEARANCE

Joel Tierney

(451) In the matter of the Commission's discussion of Yellowstone Pipeline – Rate Application – Docket No. D2000.9.145; Commissioner McCaffree moved to approve the application. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Robin McHugh, Jay Driscoll, Bonnie Lorang, Scott Fabel, Mike Lee

(452) In the matter of the Commission's discussion of Citizens Telecom and CommSouth – Interconnection Agreement; Commissioner Rowe moved to approve the agreement subject to the rejected sections and Page 2 strike 3E and 3I; Page 3 (4F) strike discounted services to meet comp services; Page 4 (6E & G) strike E & G; Page 8 (9F) company must add a provision that they will provide the PSC with written notice. Commissioner McCaffree seconded the motion, which passed 4-0. Commission Secretary did not vote Commissioner Anderson on this issue due to the detail involved and his inclination to “not” approve.

APPEARANCE

Robin McHugh, Jay Driscoll, Bonnie Lorang

(453) In the matter of the Commission's discussion of AT&T – 271 Collaborative – Protective Order from AT&T; Commissioner Rowe moved to approve the Protective Order on the same terms as those granted to Qwest in Order No. 6254a. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

Minutes.....October 16, 2000

10:30 a.m.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

Minutes.....October 16, 2000

10:00 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 16, 2000, the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

There were no Utility Division or Transportation and Centralized Services Division agenda items.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

Minutes.....October 16, 2000

10:30 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 16, 2000 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner Anderson was absent, but left his votes with the Commission Secretary.

APPEARANCE

Joel Tierney

(454) In the matter of the Commission's discussion of Yellowstone Pipeline – Rate Application – Docket No. D2000.9.145; Commissioner McCaffree moved to approve the application. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner Anderson voted aye.

APPEARANCE

Robin McHugh, Jay Driscoll, Bonnie Lorang, Scott Fabel, Mike Lee

(455) In the matter of the Commission's discussion of Citizens Telecom and CommSouth – Interconnection Agreement; Commissioner Rowe moved to approve the agreement subject to the rejected sections and Page 2 strike 3E and 3I; Page 3 (4F) strike discounted services to meet comp services; Page 4 (6E & G) strike E & G; Page 8 (9F) company must add a provision that they will provide the PSC with written notice. Commissioner McCaffree seconded the motion, which passed 4-0. Commission Secretary did not vote Commissioner Anderson on this issue due to the detail involved and his inclination to “not” approve.

APPEARANCE

Robin McHugh, Jay Driscoll, Bonnie Lorang

(456) In the matter of the Commission's discussion of AT&T – 271 Collaborative – Protective Order from AT&T; Commissioner Rowe moved to approve the Protective Order on the same terms as those granted to Qwest in Order No. 6254a. Commissioner McCaffree seconded the motion, which passed unanimously.

Minutes.....October 16, 2000

10:30 a.m.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, October 25, 2000, the following members were present:

Dave Fisher, Chairman
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree was absent, but left votes with the Commission Secretary.

APPEARANCE

Dan Elliott, Administrator
Utility Division

(457) In the matter of Qwest Communications, Inc, Docket No. D2000.6.89 - On October 5, 2000, Western Wireless Corporation filed a Petition for Late Intervention in this docket. If granted intervention, Western Wireless will not request that the procedural order be amended or that it be granted any extensions of time. Commissioner Rowe moved to approve the request for late intervention. Commissioner Feland seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

(458) In the matter of QWEST N2000.10.166 - On September 29, 2000, Qwest filed Tariff Transmittal 00-41, "Guaranteed Rate Calling Connection Plan-Revision." The purpose of the filing is to change the initial timing period for the plan from 30 seconds to 6 seconds. Also if the customer terminates their contract early, the page is corrected to state that the termination liability is 15% of the remaining months' contract value. Qwest argues this will make the calling plan a more competitive offering. Commissioner Feland moved to approve the tariff filing. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

(459) In the matter of QWEST N2000.10.167 - On October 2, 2000, Qwest filed Tariff Transmittal 00-44, "Promotional Addendum for Nonutility Incentive – Access Line". This limited promotion is scheduled from October 23, 2000 through December 29, 2000 and will be marketed to small business customers as "New Rules – New Company". For an additional 1FB, customers will receive a leather day planner (\$30.00 premium) or for an additional 1FB with Custom Choice feature package, a Casion Organizer (\$90.00 premium). Commissioner Feland moved to approve tariff transmittal. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(460) In the matter of TN2067 - Candi Vanderley dba V.I.P. Limousine, Billings, Montana requests permission to lease PSC No. 8920 to Don Hurley dba Arrive In Style, Billings, Montana October 23, 2000 to January 23, 2001, pending completion of sale and transfer proceedings.

Class B - Passengers between all points and places in Yellowstone and Sweetgrass Counties. Limitations: 1) Transportation of Burlington Northern train crews is prohibited. 2) Transportation is limited to five (5) passengers or less per vehicle and further limited to limousine transportation only. 3) Reservations for limousine service must be made at least 24 hours in advance. 4) transportation as a taxi or jitney is prohibited.

Commissioner Rowe moved to approve the lease of PSC No. 8920 for a period of three months. Commissioner Feland seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

(461) In the matter of TN2068 - Edward DesRosier dba Sun Tours, East Glacier, Montana requests permission to suspend PSC No. 9220 for the period November 1, 2000 to May 1, 2001.

Class B - Persons originating and terminating in Glacier County on the Blackfeet Indian Reservation to points in Glacier National Park, Flathead County, and the Blackfeet Indian Reservation.

Commissioner Feland moved to suspend PSC No. 9220 for a period of six months. Commissioner Rowe seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

(462) In the matter of T-00.94.AR - Schelko, Inc. dba Silver Eagle Shuttle Company, 201 Hickory Trace Drive, Nashville Tennessee, Montana PSC No. 9352 has failed to submit a 1999 annual report filing. An Order To Show Cause was issued on July 18, 2000, with no response from carrier. Staff recommends cancellation of Montana PSC No. 9352.

Class B - Passengers in charter service between all points and places in Yellowstone and Big Horn Counties, Montana, on the one hand, on the other all points and places in Carbon, Stillwater, Sweet Grass, Yellowstone, and Big Horn Counties, Montana. Limitations: (1) Transportation is restricted to vehicles having a seating capacity of twenty-one (21) passengers or less and no more than twenty-two (22) persons in the vehicle, including the driver. (2) All transportation services must be provided in vehicles capable of transporting more than seven (7) passengers (including the driver). (3) Transportation as a jitney or taxi is prohibited. (4) Service is restricted to that provided by reservations made at least one (1) hour in advance. (5) No transportation under this authority by luxury limousine automobile.

Commissioner Rowe moved to cancel PSC No. 9352. Commissioner Feland voted aye. Commissioner McCaffree voted aye.

(463) In the matter of T-00.99.AR - Raphael R. Roberts dba Airport Shuttler, 3104 Bancroft, Missoula, Montana, Montana PSC No. 9384 has failed to submit a 1999 annual report filing. An Order To Show Cause was issued on July 18, 2000, with no response from carrier. Staff recommends cancellation of Montana PSC No. 9384.

Minutes.....October 25, 2000

10:00 a.m.

Class B - Passengers (a) from hotels, motels, businesses, and residences within the city of Missoula, Montana and a ten (10) mile radius thereof to the Missoula International Airport and (b) from Missoula International Airport to hotels, motels, businesses, and residences within the City of Missoula and a ten (10) mile radius thereof. All transportation under this certificate will either originate or terminate at Missoula International Airport.

Commissioner Rowe moved to cancel PSC No. 9384. Commissioner Feland seconded the motion, which passed unanimously. Commissioner McCaffree voted aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

Minutes.....October 25, 2000

10:30 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Wednesday, October 25, 2000 the following members were present:

Dave Fisher, Chairman
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

Commissioner McCaffree was absent, but left her votes with the Commission Secretary.

APPEARANCE

Denise Peterson, Will Rosquist, Eric Eck

(464) In the matter of the Commission's discussion of Montana Power Company's QF cost recovery requests for interim increase – Docket No. D97.7.90; Commissioner Rowe moved to deny the request for interim rate increase and deny the request for modification of the accounting order. Commissioner Anderson seconded the motion, which passed unanimously.

(465) In the matter of the Commission's discussion of Electric Restructuring Transition Period; Commissioner Rowe moved to issue requests for comment in two rounds. Commissioner Anderson seconded the motion, which passed unanimously.

(466) In the matter of the Commission's discussion of SmartEnergy.com electricity supplier license application – Docket N2000.9.142; Commissioner Anderson moved to issue a one-year license to SmartEnergy.com. Commissioner Feland seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Dave Burchett

(467) In the matter of the Commission's discussion of Bozeman Schools v MPC – Docket No. D2000.9.140; Commissioner Anderson moved to deny MPC's Motion to Dismiss; decide matter on Summary Judgment in favor of MPC. Commissioner Rowe then moved for a substitute motion to deny the Motion to Dismiss and issue a Proposed Finding and Proposed Order and Conclusions, giving parties 10 days to file additional comments. Commissioner Feland seconded the motion, which passed unanimously.

Minutes.....October 25, 2000

10:30 a.m.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, October 30, 2000, the following members were present:

Dave Fisher, Chairman
Bob Anderson, Commissioner
Gary Feland, Commissioner

Commissioners McCaffree and Rowe were absent, but left his votes with the Commission Secretary.

APPEARANCE

Dan Elliott, Administrator
Utility Division

(468) In the matter of Verizon Communications/ NorthPoint Communications Group, Inc – Docket No. N2000.10.175 - On September 8, 2000, Verizon filed a letter notifying the Commission of an August 7, 2000 "Agreement and Plan of Merger" between NorthPoint and Verizon, whereby Verizon will acquire control of NorthPoint. As a result of this Merger Agreement, Verizon, through a wholly owned subsidiary, will hold 55% of the voting securities of the "new NorthPoint" and the stockholders of old NorthPoint will hold the remaining 45% of "new NorthPoint" voting securities. NorthPoint is the parent corporation of NorthPoint Communications, Inc. (NPC), a CLEC that primarily provides symmetric DSL services on a wholesale basis to small and medium sized businesses (primarily ISPs) and is currently certificated to provide service in Montana. Verizon is the parent corporation of operating companies that provide local exchange services, interexchange service, wireless service, and information services, including its subsidiary, Verizon Montana, which provides local exchange and exchange access service, and retail asymmetric DSL services under interstate tariffs. The legal and operational status of NPC will remain unchanged following this merger and, therefore, this transaction will have no effect on the manner in which the Commission regulates NPC. Commissioner Anderson moved to approve the merger. Commissioner Feland seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

(469) In the matter of New Access Communications, LLC/Qwest Corporation, Docket No. D2000.8.137 On September 27, 2000, in Order No. 6277 the Commission approved the New Access/Qwest interconnection agreement. The order required that amendments to reflect direction in the order be filed within 30 days of the service date of the order, or by November 3, 2000. The parties have requested an extension to November 15, 2000 to file those amendments. Commissioner Feland moved to grant the request. Commissioner Anderson seconded the motion, which passed 4-1. Commissioners Fisher, Feland, Rowe, and Anderson voted aye. Commissioner McCaffree dissented.

(470) In the matter of BLACK HILLS POWER & LIGHT Docket D2000.9.162 - On September 26, 2000, BHP&L filed a Quarterly Fuel Rate Rider application. A Notice of Opportunity for Public Hearing was issued on September 28, 2000. Requests for hearing were due by October 23, 2000. No requests have been received. This application will increase rates by \$6,297 over the base cost of fuel approved in Docket No. 83.4.25. Commissioner Feland moved to approve the default order. Commissioner Anderson seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

(471) In the matter of Qwest Communications N2000.10.165 - On September 29, 2000, Qwest Communications filed Tariff Transmittal 00-42 "Centrex 21 Revisions" to revise the terms and conditions or the Centrex 21 offering. The filing eliminates the \$5.00 non-recurring charge to activate or deactivate features within the standard feature package for Centrex 21.

Commissioner Feland moved to approve the tariff transmittal. Commissioner Anderson seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

(472) In the matter of Central Montana Communications N2000.10.168 - On October 2, 2000, Central Montana Communications filed tariff pages 30 through 31.2 to change the signature line. In addition, page 31.1 has been modified to provide detail of how the waiver of the Interstate end User Charge and the Tier 2, 3 and 4 discounts will be applied. Commissioner Anderson moved to approve the tariff page filings. Commissioner Feland seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

APPEARANCE

Wayne Budt, Administrator
Transportation & Centralized Services Division

(473) In the matter of TN2069 - Cord L. Thurston dba Road Runner Limousine Service, Twin Bridges, Montana requests permission to suspend PSC No. 9423 for a six month period, November 1, 2000 to May 1, 2001.

Class B – Passengers in limousine service between all points and places in Beaverhead, Gallatin, Jefferson, Madison and Silver Bow Counties, Montana. LIMITATIONS: 1) Transportation is limited to movements originating in Beaverhead, Jefferson and Madison Counties. 2) Transportation movements originating in Ennis, Montana and a five (5) mile radius thereof and destined to Big Sky, Montana and a twenty-five (25) mile radius thereof are prohibited. 3) Transportation movements originating in Gallatin County are prohibited. 4) Transportation movements originating in Beaverhead County will not terminate in Silver Bow County.

Commissioner Feland moved to grant the request to suspend PSC No. 9423 for a period of six months. Commissioner Anderson seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

(474) In the matter of TN2070 - C.B. Geier, Helena, Montana requests permission to suspend PSC No. 3584 for a final six month period, October 23, 2000 to April 23, 2001.

Class C - Property within the City of Helena, Montana and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles thereof. Limitations: Transportation service as an intermediate carrier between two line haul carriers, except pickup and delivery service within the City of Helena, Montana is prohibited. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

Commissioner Anderson moved to grant the request to suspend PSC No. 3584 for a final six month period. Commissioner Feland seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

(475) In the matter of TN2071 - Marc W. Johnson, Ronan, Montana requests permission to continue the lease of PSC No. 1448 to BFI Waste Systems of North America, Inc., a Delaware Corporation, Missoula, Montana for a six month period, November 22, 2000 to May 22, 2001.

Class D - Ashes, trash, waste, refuse, rubbish, garbage, organic and inorganic matter within the town of Ronan, Montana, and between all points and places within a fifty (50) mile radius thereof. Limitations: Transportation is prohibited within a three and one half mile (3.5 mile) radius of the junction of U.S. Highway 90 and U.S. Highway 93 (approximately 3.5 miles south of Evaro hill), with the EXCEPTION of movements which originate in that area and terminate in Ronan, Montana, or originate in Ronan and terminate in the 3.5 mile radius area.

Commissioner Feland moved to grant the request to continue the lease of PSC No. 1448 for a period of six months. Commissioner Anderson seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

(476) In the matter of TN2072 - Flathead Disposal, Inc., Ronan, Montana requests permission to continue the lease of PSC No. 2870 to BFI Waste Systems of North America, Inc., a Delaware Corporation, Missoula, Montana for a six month period, November 22, 2000 to May 22, 2001.

Class D - Garbage and refuse, authorized to serve an area whose eastern, western and southern boundaries are defined as the arc on the circumference of a 35 mile radius circle whose center originates at Polson, Montana and whose northern boundary is defined as a cord of the 35 mile radius circle running tangent to a 10 mile radius circle whose center originates at Ronan, Montana. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Commissioner Anderson moved to grant the request to continue the lease of PSC No. 2870 for a period of six months. Commissioner Feland seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

(477) In the matter of TN2073 - Gary Eugene Plouffe dba Plouffe Disposal Service, St. Ignatius, Montana requests permission to continue the lease of PSC No. 3329 to BFI Waste Systems of North America, Inc., a Delaware Corporation, Missoula, Montana for a six month period, November 22, 2000 to May 22, 2001.

Class D - Garbage and refuse within St. Ignatius, Montana and between points and places within seven (7) miles thereof. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Commissioner Anderson moved to approve the lease of PSC No. 3329 for a period of six months. Commissioner Feland seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

(478) In the matter of TN2074 - Marc W. Johnson dba Northwest Disposal Service, Bigfork, Montana requests permission to continue the lease of PSC No. 2714 to BFI Waste Systems of North America, Inc., a Delaware Corporation, Missoula, Montana for a six month period, November 22, 2000 to May 22, 2001.

Class D - Garbage and refuse, authorized to serve an area whose eastern, western and northern boundaries are defined as the arc on the circumference of a 35 mile radius circle whose center originates at Polson, Montana; and whose southern boundary is defined as a cord of the 35 miles radius circle running tangent to a 10 mile radius circle whose center originates at Ronan, Montana; including the town of Creston, Montana and points intermediate between Big Fork, Montana and Creston, Montana; and between Big Fork and Lakeside, Montana on the county road and U.S. Highway 93; and serving the United States Air Force radar base located near Lakeside, Montana. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. Limitations: Service within corporate limits of the City of Polson, Montana is prohibited. Transportation of household goods under Rule 31 is prohibited.

Class D - Garbage and refuse, between all points and places from Bigfork, Montana to the Missoula County line down Seeley Swan Highway by way of Highway 326 and Highway 209. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Commissioner Feland moved to approve the request to continue the lease of PSC No. 2714 for a six month period. Commissioner Anderson seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

(479) In the matter of TN2075 - Weston Lee MacDonald and Sandra M. MacDonald, Polson, Montana request permission to continue the lease of PSC No. 1842 to BFI Waste Systems of North America, Inc., a Delaware Corporation, Missoula, Montana for a six month period, November 22, 2000 to May 22, 2001.

Class D - Ashes, trash, waste, refuse, rubbish, garbage, organic and inorganic matter within an area 3 miles south and/or west of U.S. Highway 93 from Polson Bridge to where Highway 28 intersects U.S. Highway 93 in the town of Elmo, Montana, bounded on the north and/or east by the shores of Flathead Lake and from the afore-described territory to certified landfills.

Class D - Garbage within the town of Polson, Montana, and a one-half (1/2) mile radius thereof. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

Commissioner Feland moved to approve the continuation of the lease of PSC No. 1842 for a six month period. Commissioner Anderson seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

(480) In the matter of TN2076 - Verlan W. Smith, Hot Springs, Montana requests permission to continue the lease of PSC No. 6369 to BFI Waste Systems of North America, Inc., a Delaware Corporation, Missoula, Montana for a six month period, November 22, 2000 to May 22, 2001.

Class D - Garbage, brush and solid waste within the City of Hot Springs, Montana and a twenty (20) mile radius thereof. Limitations: Transportation is prohibited within the Town of Plains, Montana and a ten (10) mile radius thereof.

Minutes.....October 30, 2000

10:00 a.m.

Commissioner Anderson moved to approve the continuation of the lease of PSC No. 6369 for a six month period. Commissioner Feland seconded the motion, which passed unanimously. Commissioners Rowe and McCaffree voted aye.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

Minutes.....October 31, 2000

9:00 a.m.

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, October 31, 2000 the following members were present:

Dave Fisher, Chairman
Nancy McCaffree, Vice Chair (via telephone)
Bob Anderson, Commissioner
Gary Feland, Commissioner
Bob Rowe Commissioner

APPEARANCE

Robin McHugh, Marla Larson, Bonnie Lorang, Scott Fabel

(481) In the matter of the Commission's discussion of Qwest – Detariffing of intraLATA toll/operator services – Docket D99.8.205; Commissioner Anderson moved to approve the draft order, with editing, 6198b with concurring opinion by Commissioner Rowe (with referencing Qwest pledge to not deaverage). Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh, Jay Driscoll, Bonnie Lorang

(482) In the matter of the Commission's discussion of DSL Net Communications, LLC/US West Communications, Inc. – Docket No. D99.8.195; Commissioner Rowe moved to approve the interconnection agreement (amendment #1). Commissioner Feland seconded the motion, which passed unanimously. Commissioner Feland then moved to approve interconnection agreement (amendment #3). Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Robin McHugh

(483) In the matter of the Commission's discussion of Pathnet, Inc. / US West Communications, Inc. – Docket No. D99.12.286; Commissioner Rowe moved to approve the interconnection agreement (amendment #1). Commissioner Feland seconded the motion, which passed unanimously. Commissioner Rowe then moved to approve interconnection agreement (amendment #3). Commissioner Anderson seconded the motion, which passed unanimously.

(484) In the matter of the Commission's discussion of McLeod USA Telecommunications Services, Inc./US West Communications, Inc.; Commissioner McCaffree moved to approve the interconnection agreement (amendment #2). Commissioner Feland seconded the motion, which passed unanimously.

APPEARANCE

Denise Peterson, Robin McHugh, Will Rosquist

(485) In the matter of the Commission's discussion of Flathead Electric Cooperative, Inc. and Energy Northwest, Inc.; Commissioner Rowe moved to direct staff to draft an order denying the relief requested based on lack of Commission Authority. Commissioner Anderson seconded the motion, which passed unanimously.

Minutes.....October 31, 2000

9:00 a.m.

There being no further business to come before the Commission the meeting was adjourned.

DAVE FISHER, Chairman

NANCY McCAFFREE, Vice Chair

BOB ANDERSON, Commissioner

GARY FELAND, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)